

LAWYERS' STATEMENT OF CONCERN*

The signers of this statement are San Francisco attorneys of varied experience and political persuasions. Our common concern is the recent turn of events in Indochina.

The United States has now begun an offensive against the North Vietnamese sanctuaries across the border of Cambodia, and is now supplying arms to the Cambodian government. The President has stated that these initiatives are intended to facilitate withdrawal, to protect American lives, and to avoid the humiliation of a great power. He states that it is his continuing purpose to terminate the present war.

We respectfully record our dissent.

The war can be terminated at any time by our orderly withdrawal. Such a course would not risk American lives. We maintain full command of the air and sea and can bring home our troops at will.

The new offensive, limited in purpose though it may be, can only be explained as a further effort to achieve political results in Vietnam and Cambodia by the use of military force. The attack is not related to a planned withdrawal, on the contrary, it risks a greater involvement.

The lesson of Vietnam is that we cannot gain or keep military control of any area, in the absence of strong popular support, without a massive and sustained deployment of forces on the ground. An advance into new territory merely expands the area we are required to police.

In broader terms we have learned, or should have learned, that military operations cannot achieve our objectives in Vietnam. Our experience has been one of tragic and continuous failure.

We have failed to win a military victory, despite the commitment of overwhelming power.

We have failed to negotiate a peace, despite our willingness to make ever greater concessions.

We have failed to eradicate corruption or to build a popular and democratic government.

We have failed to protect the lives and property of the people of South Vietnam, although we originally intervened for this very purpose. Instead, in response to the military needs of the moment, we have spread explosive and chemical destruction up and down the nation, from which the land and the people may never recover.

Our failures in Vietnam itself, however, are but a part of the tragedy. The indirect damage caused by the war, on a worldwide scale, may well have more permanent impact.

We have countenanced an expansion of the war powers of the President beyond the fair intentment of the Constitution, to the point where Congress and citizens alike begin to fear for the future of the democratic process.

We have come close to alienating an entire generation of young people who are compelled to fight in a war which most regard as futile if not immoral. The strain of the war sharpens our existing divisions and strengthens the opponents of our essential institutions of law and government.

We have diverted our energies from pressing needs at home and abroad because of the war. While we have witnessed the proliferation of weapons of mass destruction and the rapid and dangerous deterioration of our environment, we have wasted our major resources on a war which is insignificant with respect to our national security, and irrelevant to our survival.

We cannot remedy past failures by compounding them, nor salvage our national pride by extending a war we cannot win. What we can do and should do is withdraw, so that we can start afresh. Then and only then, can we effectively set about building a secure and inhabitable world.

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Metzger, Michael
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Miller, Charles G.
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*Signatures appearing above are only in support of the Statement of Concern and were obtained through the efforts of students in LAW SCOPE (Law Students Coordinated Operation Peace Effort).

LAW SCOPE combines the efforts and energies of a diverse group of law students from Golden Gate, Hastings, Stanford, and University of San Francisco law schools. They are pledged to work for peaceful change in the present government policy for Southeast Asia.

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